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Date of Deposit:

9-20-2004

Signature

Alan F. Feeney, Esq.

Printed name of person mailing correspondence

Applicant:	Morgan, Barry A.; Sadat-Aalae, D.	Art Unit:	1653
Serial No.:	09/980,133	Examiner:	WAX, Robert A.
Filed:	February 22, 2002		
Title:	NEUROMEDIN B AND SOMATOSTATIN RECEPTOR ANTAGONISTS		

**1st SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.97(b), or
(Whichever occurs last of the following: within three months of filing national application; within three months of date of entry of the national stage in an international application; before the mailing date of first office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination)
- ☒ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☒ the fee set forth in 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ the fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Enclosed herewith is:

- ☒ form PTO-1449 REPRODUCED, with copies of the non-patent references noted thereon.
- ☐ Applicant requests that the attached IDS and cited reference(s) [] be placed in the application filewrapper.
(Filed after payment of issue fee)
- ☒ Some of the listed references were cited in a European Search Report in a counterpart European application or cited in a communication from a foreign patent office in a counterpart foreign application.

- ☐ Copies of some of the reference(s) noted on the enclosed form PTO 1449 REPRODUCED were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No _____, filed [date], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)).

Concise Explanation Requirement (non-English references):

- ☒ The "concise explanation" requirement for HU221979 B1 [reference BA] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☒ WO97/11962 [reference BB].

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO-1449 REPRODUCED appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Statement Under 37 CFR 1.97(e):

- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- ☒ No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,

BIOMEASURE, INCORPORATED

Dated: 9-20-2004

By Alan F. Feeney

Alan F. Feeney, Attorney for Applicant(s)

Registration No.: 43,609

27 Maple Street
Milford, Massachusetts 01757
Phone: (508)478-0144
Facsimile: (508) 473-3531

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
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09/980,133INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

APPLICANT
Morgan, Barry A.; Sadat-Aalae, D.FILING DATE
February 22, 2002GROUP/EXAMINER
1653 / WAX, Robert A.

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
BA	HU221979 B1	03/28/2003	Hungary			
BB	WO 97/11962	04/03/1997	PCT			
BC	WO 84/04916	12/20/1984	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED